

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Mag. No. 11-2509 (DEA)
 :
 v. : CONTINUANCE ORDER
 :
 AUGUSTINE S. LEE :

A criminal complaint charging the defendant with distribution and possession with knowingly and intentionally distributing, possessing with intent to distribute and dispense a mixture and substance containing a detectable amount of oxycodone (namely "Percocet" prescription) a Schedule II controlled substance, without a legitimate medical purpose and outside the usual course of professional practice, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C), having been filed on February 15, 2011, and the defendant having been arrested on February 17, 2011; and the defendant having appeared before the Court for an initial appearance on February 17, 2011; and the defendant having been represented by Brian Reilly, Esq.; and the defendant and his counsel being aware that an Information or Indictment ordinarily must be filed within thirty (30) days of defendant's initial appearance on this charge, pursuant to Title 18, United States Code, Section 3161(b); and, pursuant to Title 18, United States Code, Section 3161(h)(7)(A), both the United States and the defendant request this fifth continuance so that the parties can finalize a plea agreement and thereby avoid a possible trial; and for good cause shown;

IT IS on this 20th day of September, 2011,

ORDERED that from September 27, 2011, to and including October 26, 2011 shall be excluded in calculating the time within which an Information or Indictment must be filed under the Speedy Trial Act for the following reasons:

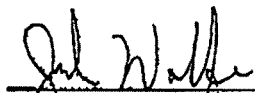
1. Both the United States and the defendant desire additional time to finalize plea negotiations, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary;

2. Pursuant to Title 18, United States Code, Section 3161(h) (7) (A), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

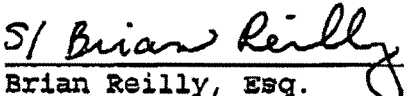


HON. DOUGLAS ARPERT
United States Magistrate Judge

Form and entry
consented to:



Sarah M. Wolfe
Assistant U.S. Attorney



Brian Reilly, Esq.
Counsel for Augustine S. Lee